

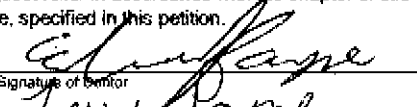
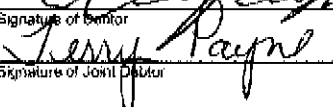

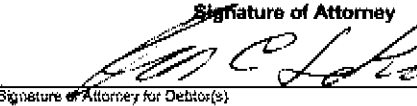
(Official Form 1) (12/02) West Group, Rochester, NY

FORM B1		United States Bankruptcy Court District of <b>NEVADA</b>		Voluntary Petition														
Name of Debtor (if individual, enter last, first, middle): <b>Payne, Edward</b>			Name of Joint Debtor (Spouse)(Last, First, Middle): <b>Payne, Terry Lynn</b>															
All Other Names used by the Debtor in the last 6 years (include married, maiden, and trade names): <b>NONE</b>			All Other Names used by the Joint Debtor in the last 6 years (include married, maiden, and trade names): <b>NONE</b>															
Last four digits of Soc. Sec. No./Complete EIN or other Tax I.D. No. (if more than one, state all): <b>2264</b>			Last four digits of Soc. Sec. No./Complete EIN or other Tax I.D. No. (if more than one, state all): <b>3218</b>															
Street Address of Debtor (No. & Street, City, State & Zip Code): <b>1315 Gloria Lane Boulder City NV 89005</b>			Street Address of Joint Debtor (No. & Street, City, State & Zip Code): <b>1315 Gloria Lane Boulder City NV 89005</b>															
County of Residence or of the Principal Place of Business: <b>Clark</b>			County of Residence or of the Principal Place of Business: <b>Clark</b>															
Mailing Address of Debtor (if different from street address): <b>SAME</b>			Mailing Address of Joint Debtor (if different from street address): <b>SAME</b>															
Location of Principal Assets of Business Debtor (if different from street address above): <b>NOT APPLICABLE</b>																		
<b>Information Regarding the Debtor (Check the Applicable Boxes)</b>																		
<b>Venue</b> (Check any applicable box) <input checked="" type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. <input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.																		
<b>Type of Debtor</b> (Check all boxes that apply) <input checked="" type="checkbox"/> Individual(s) <input type="checkbox"/> Railroad <input type="checkbox"/> Corporation <input type="checkbox"/> Stockbroker <input type="checkbox"/> Partnership <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Other _____ <input type="checkbox"/> Clearing Bank			<b>Chapter or Section of Bankruptcy Code Under Which the Petition is Filed</b> (Check one box) <input checked="" type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 9 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Sec. 304 - Case ancillary to foreign proceeding															
<b>Nature of Debts</b> (Check one box) <input checked="" type="checkbox"/> Consumer/Non-Business <input type="checkbox"/> Business			<b>Filing Fee</b> (Check one box) <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> Filing Fee to be paid in installments (Applicable to individuals only) Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form No. 3.															
<b>Chapter 11 Small Business</b> (Check all boxes that apply) <input type="checkbox"/> Debtor is a small business as defined in 11 U.S.C. § 101 <input type="checkbox"/> Debtor is and elects to be considered a small business under 11 U.S.C. § 1121(a) (Optional)			<div style="text-align: center;"> <p>THIS SPACE IS FOR COURT USE ONLY</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">           RECEIVED            AND FILED            20th JAN - 2 PM 3:26            UNITED STATES            BANKRUPTCY COURT            DISTRICT OF NEVADA            CLERK         </p> </div>															
<b>Statistical/Administrative Information</b> (Estimates only) <input type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input checked="" type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.																		
<b>Estimated Number of Creditors</b> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">1-10</td> <td style="text-align: center;">11-49</td> <td style="text-align: center;">50-99</td> <td style="text-align: center;">100-199</td> <td style="text-align: center;">200-999</td> <td style="text-align: center;">1000-over</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>						1-10	11-49	50-99	100-199	200-999	1000-over	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
1-10	11-49	50-99				100-199	200-999	1000-over										
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>													
<b>Estimated Assets</b> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">\$0 to \$50,000</td> <td style="text-align: center;">\$50,001 to \$100,000</td> <td style="text-align: center;">\$100,001 to \$500,000</td> <td style="text-align: center;">\$500,001 to \$1 million</td> <td style="text-align: center;">\$1,000,001 to \$10 million</td> <td style="text-align: center;">\$10,000,001 to \$50 million</td> <td style="text-align: center;">\$50,000,001 to \$100 million</td> <td style="text-align: center;">More than \$100 million</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>			\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	More than \$100 million	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	More than \$100 million											
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>											
<b>Estimated Debts</b> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">\$0 to \$50,000</td> <td style="text-align: center;">\$50,001 to \$100,000</td> <td style="text-align: center;">\$100,001 to \$500,000</td> <td style="text-align: center;">\$500,001 to \$1 million</td> <td style="text-align: center;">\$1,000,001 to \$10 million</td> <td style="text-align: center;">\$10,000,001 to \$50 million</td> <td style="text-align: center;">\$50,000,001 to \$100 million</td> <td style="text-align: center;">More than \$100 million</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>			\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	More than \$100 million	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	More than \$100 million											
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>											

(Official Form 1) (12/02) West Group, Rochester, NY

<b>Voluntary Petition</b> (This page must be completed and filed in every case)		Name of Debtor(s): <b>FORM B1, Page 2</b> <b>Edward and Terry Lynn Payne and Terry Lynn Payne</b>	
<b>Prior Bankruptcy Case Filed Within Last 6 Years (If more than one, attach additional sheet)</b>			
Location Where Filed:	Case Number:	Date Filed:	
<b>NONE</b>			
<b>Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet)</b>			
Name of Debtor:	Case Number:	Date Filed:	
<b>NONE</b>			
District:	Relationship:	Judge:	

Signatures	
<b>Signature(s) of Debtor(s) (Individual/Joint)</b> I declare under penalty of perjury that the information provided in this petition is true and correct. (If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7) I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.	<b>Exhibit A</b> (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under Chapter 11) <input type="checkbox"/> Exhibit A is attached and made a part of this petition
X <u></u> Signature of Debtor X <u></u> Signature of Joint Debtor Telephone Number (if not represented by attorney) <u>1/2/2004</u> Date	<b>Exhibit B</b> (To be completed if debtor is an individual whose debts are primarily consumer debts) I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that (he or she) may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. X <u></u> <u>1/2/2004</u> Signature of Attorney for Debtor(s) Date
X <u></u> Signature of Attorney for Debtor(s) <u>Robert C. LePome, Esq. NV Bar #1980</u> Printed Name of Attorney for Debtor(s) <u>Robert C. LePome, Esq.</u> Firm Name <u>330 S. Third St. #1100B</u> Address  <u>Las Vegas NV 89101</u>  <u>702-385-5509</u> <u>1/2/2004</u> Telephone Number Date	<b>Exhibit C</b> Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health and safety? <input type="checkbox"/> Yes, and exhibit C is attached and made a part of this petition. <input checked="" type="checkbox"/> No
<b>Signature of Debtor (Corporation/Partnership)</b> I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor. The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.	<b>Signature of Non-Attorney Petition Preparer</b> I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document. Printed Name of Bankruptcy Petition Preparer Social Security Number Address  Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:  If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.
X _____ Signature of Authorized Individual Printed Name of Authorized Individual Title of Authorized Individual <u>1/2/2004</u> Date	X _____ Signature of Bankruptcy Petition Preparer Date A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. § 110; 18 U.S.C. § 156.

Form B 201 (4/98) West Group, Rochester, NY

## UNITED STATES BANKRUPTCY COURT

### NOTICE TO INDIVIDUAL CONSUMER DEBTOR

The purpose of this notice is to acquaint you with the four chapters of the federal Bankruptcy Code under which you may file a bankruptcy petition. The bankruptcy law is complicated and not easily described. Therefore, you should seek the advice of an attorney to learn of your rights and responsibilities under the law should you decide to file a petition with the court. Court employees are prohibited from giving you legal advice.

#### Chapter 7: Liquidation (\$170 filing fee plus \$30 administrative fee)

1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts.
2. Under chapter 7 a trustee takes possession of all your property. You may claim certain of your property as exempt under governing law. The trustee then liquidates the property and uses the proceeds to pay your creditors according to priorities of the Bankruptcy Code.
3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, your discharge may be denied by the court, and the purpose for which you filed the bankruptcy petition will be defeated.
4. Even if you receive a discharge, there are some debts that are not discharged under the law. Therefore, you may still be responsible for such debts as certain taxes and student loans, alimony and support payments, criminal restitution, and debts for death or personal injury caused by driving while intoxicated from alcohol or drugs.
5. Under certain circumstances you may keep property that you have purchased subject to valid security interest. Your attorney can explain the options that are available to you.

#### Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (\$155 filing fee plus \$30 administrative fee)

1. Chapter 13 is designed for individuals with regular income who are temporarily unable to pay their debts but would like to pay them in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
2. Under chapter 13 you must file a plan with the court to repay your creditors all or part of the money that you owe them, using your future earnings. Usually, the period allowed by the court to repay your debts is three years, but no more than five years. Your plan must be approved by the court before it can take effect.
3. Under chapter 13, unlike chapter 7, you may keep all your property, both exempt and non-exempt, as long as you continue to make payments under the plan.
4. After completion of payments under the plan, your debts are discharged except alimony and support payments, student loans, certain debts including criminal fines and restitution and debts for death or personal injury caused by driving while intoxicated from alcohol or drugs, and long term secured obligations.

#### Chapter 11: Reorganization (\$800 filing fee plus \$30 administrative fee)

Chapter 11 is designed primarily for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

#### Chapter 12: Family farmer (\$200 filing fee plus \$30 administrative fee)

Chapter 12 is designed to permit family farmers to repay their debts over a period of time from future earnings and is in many ways similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm.

I, the debtor, affirm that I have read this notice.

1/2/2004

Date

1/2/2004

Date

  
Signature of Debtor

  
Signature of Joint Debtor

Case Number

DEBTOR COPY      COURT COPY  
(circle one)

# **UNITED STATES BANKRUPTCY COURT DISTRICT OF NEVADA**

In re *Edward and Terry Lynn Payne and Terry Lynn Payne*Case No.  
Chapter 7

\_\_\_\_\_/ Debtor

## **SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages on each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts from Schedules D, E and F to determine the total amount of the debtor's liabilities.

NAME OF SCHEDULE	Attached (Yes/No)	No. of Sheets	AMOUNTS SCHEDULED		
			ASSETS	LIABILITIES	OTHER
A-Real Property	Yes	1	\$ 200,000.00		
B-Personal Property	Yes	4	\$ 454,727.33		
C-Property Claimed as Exempt	Yes	2			
D-Creditors Holding Secured Claims	Yes	1		\$ 174,610.00	
E-Creditors Holding Unsecured Priority Claims	Yes	1		\$ 0.00	
F-Creditors Holding Unsecured Nonpriority Claims	Yes	6		\$ 882,725.25	
G-Executory Contracts and Unexpired Leases	Yes	1			
H-Codebtors	Yes	2			
I-Current Income of Individual Debtor(s)	Yes	1			\$ 3,429.00
J-Current Expenditures of Individual Debtor(s)	Yes	1			\$ 6,079.00
Total Number of Sheets in All Schedules ▶		20			
Total Assets ▶			\$ 654,727.33		
Total Liabilities ▶				\$ 1,057,335.25	

Case No. \_\_\_\_\_

**SCHEDULE A-REAL PROPERTY**

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C-Property Claimed as Exempt.

Description and Location of Property	Nature of Debtor's Interest in Property	Husband-H Wife-W Joint-J Community-C	Current Market Value of Debtor's Interest, in Property Without Deducting any Secured Claim or Exemption	Amount of Secured Claim
1315 Gloria Lane, Boulder City	Fee Simple	C	\$ 200,000.00	\$ 131,115.00

**TOTAL \$**

**200,000.00**

(Report also on Summary of Schedules.)

In re Edward and Terry Lynn Payne and Terry Lynn Payne / DebtorCase No. \_\_\_\_\_  
(if known)**SCHEDULE B-PERSONAL PROPERTY**

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "X" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, or both own property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C, Property Claimed as Exempt.

Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G-Executory Contracts and Unexpired Leases.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property."

Type of Property	None	Description and Location of Property	Husband--H Wife--W Joint--J Community--C	Current Market Value of Debtor's Interest, in Property Without Deducting any Secured Claim or Exemption
1. Cash on hand.		<b>Cash on Hand</b> Location: In debtor's possession	C	\$ 10.00
2. Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.		<b>Boulder Dam Credit Union Checking Account</b> Location: In debtor's possession	C	\$ 25.00
3. Security deposits with public utilities, telephone companies, landlords, and others.	X			
4. Household goods and furnishings, including audio, video, and computer equipment.		<b>Household Goods and Furnishings</b> Location: In debtor's possession	C	\$ 4,000.00
5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	X			
6. Wearing apparel.		<b>Clothing</b> Location: In debtor's possession	C	\$ 150.00
7. Furs and jewelry.	X			
8. Firearms and sports, photographic, and other hobby equipment.		<b>.22 caliber pistol</b> Location: In debtor's possession	C	\$ 25.00
9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.		<b>Life Insurance Policy with Conseco</b> Location: In debtor's possession	H	\$ 400.00
		<b>Life Insurance Policy</b> Location: In debtor's possession	W	\$ 400.00

FORM 95B (10/89) West Group, Rochester, NY

In re Edward and Terry Lynn Payne and Terry Lynn Payne

/ Debtor

Case No. \_\_\_\_\_

(if known)

**SCHEDULE B-PERSONAL PROPERTY**

(Continuation Sheet)

Type of Property	N o n e	Description and Location of Property	Husband-H Wife-W Joint-J Community-C	Current Market Value of Debtor's Interest, in Property Without Deducting any Secured Claim or Exemption
10. Annuities. Itemize and name each issuer.	X			
11. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Itemize.		IRA with Boulder Dam Credit Union Location: In debtor's possession	W	\$ 20,000.00
		IRA with Boulder Dam Credit Union Location: In debtor's possession	H	\$ 20,000.00
		IRA with Edward Jones & Sons Location: In debtor's possession	H	\$ 3,014.00
12. Stock and interests in incorporated and unincorporated businesses. Itemize.		100% interest in Boulder Excavating, Inc. Location: In debtor's possession	C	\$ 0.00
13. Interests in partnerships or joint ventures. Itemize.		25% interest of E & T Excavating, LLC Location: In debtor's possession	C	\$ 0.00
		Swains Creek Limited Family Partnership Location: In debtor's possession	C	\$ 480.00
14. Government and corporate bonds and other negotiable and non-negotiable instruments.	X			
15. Accounts Receivable.	X			
16. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	X			
17. Other liquidated debts owing debtor including tax refunds. Give particulars.	X			
18. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule of Real Property.	X			
19. Contingent and non-contingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			
20. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights		POSSIBLE MALPRACTICE CLAIM AGAINST ATTORNEY C. DUNN.		UNKNOWN



FORM B6B (10/89) West Group, Rochester, NY

In re Edward and Terry Lynn Payne and Terry Lynn Payne / DebtorCase No. \_\_\_\_\_  
(if known)**SCHEDULE B-PERSONAL PROPERTY**

(Continuation Sheet)

Type of Property	N o n e	Description and Location of Property	Husband-H Wife-W Joint-J Community-C	Current Market Value of Debtor's Interest, in Property Without Deducting any Secured Claim or Exemption
to setoff claims. Give estimated value of each.				
21. Patents, copyrights, and other intellectual property. Give particulars.	X			
22. Licenses, franchises, and other general intangibles. Give particulars.	X			
23. Automobiles, trucks, trailers and other vehicles.		1974 Jeep CJ5 (50% interest) Location: In debtor's possession	W	\$ 500.00
		1992 Chevrolet pickup Location: In debtor's possession	C	\$ 1,200.00
		1995 Dodge 3500 utility truck Location: In debtor's possession	C	\$ 12,000.00
		1997 Cadillac DeVille Sedan Location: In debtor's possession	J	\$ 6,000.00
		2000 Cadillac Escalade Location: In debtor's possession	C	\$ 22,000.00
24. Boats, motors, and accessories.	X			
25. Aircraft and accessories.	X			
26. Office equipment, furnishings, and supplies.	X			
27. Machinery, fixtures, equipment and supplies used in business.		Heavy Equipment consisting of Caterpillar 930 Loader, Sumitomo 200 Excavator, and Case 580 Backhoe Location: In debtor's possession	C	\$ 20,000.00
28. Inventory.	X			
29. Animals.	X			



FORM 958 (10/89) West Group, Rochester, NY

In re Edward and Terry Lynn Payne and Terry Lynn Payne / DebtorCase No. \_\_\_\_\_  
(if known)**SCHEDULE B-PERSONAL PROPERTY**

(Continuation Sheet)

Type of Property	N o n e	Description and Location of Property	Husband-H Wife-W Joint-J Community-C	Current Market Value of Debtor's Interest, in Property Without Deducting any Secured Claim or Exemption
30. Crops - growing or harvested. Give particulars.	X			
31. Farming equipment and implements.	X			
32. Farm supplies, chemicals, and feed.	X			
33. Other personal property of any kind not already listed. Itemize.		Personal Loans to E & T Excavating, LLC (1-10-3 to 11-30-3) Location: In debtor's possession	C	\$ 344,523.33
<b>Total →</b>				<b>\$ 454,727.33</b>

In re Edward and Terry Lynn Payne and Terry Lynn Payne / DebtorCase No. \_\_\_\_\_  
(if known)**SCHEDULE C-PROPERTY CLAIMED AS EXEMPT**

Debtor elects the exemptions to which debtor is entitled under:

(Check one box)

☐ 11 U.S.C. § 522(b)(1): Exemptions provided in 11 U.S.C. § 522(d). Note: These exemptions are available only in certain states.☒ 11 U.S.C. § 522(b)(2): Exemptions available under applicable nonbankruptcy federal laws, state or local law where the debtor's domicile has been located for the 180 days immediately preceding the filing of the petition, or for a longer portion of the 180-day period than in any other place, and the debtor's interest as a tenant by the entirety or joint tenant to the extent the interest is exempt from process under applicable nonbankruptcy law.

Description of Property Claimed By Husband	Specify Law Providing each Exemption	Value of Claimed Exemption	Current Market Value of Property Without Deducting Exemptions
1315 Gloria Lane, Boulder City	NRS 21.090(1)(1), 115.010	\$ 34,442.50	\$ 200,000.00
Household Goods and Furnishings	NRS 21.090(1)(b)	\$ 2,000.00	\$ 4,000.00
Clothing	NRS 21.090.1(b)	\$ 75.00	\$ 150.00
.22 caliber pistol	NRS 21.090(1)(i)	\$ 12.50	\$ 25.00
Life Insurance Policy with Conseco	NRS 21.090.1(k) (prem. under \$1,000/year	\$ 400.00	\$ 400.00
IRA with Boulder Dam Credit Union	NRS 21.090(1)(q)(1)	\$ 20,000.00	\$ 20,000.00
IRA with Edward Jones & Sons	NRS 21.090(1)(q)(1)	\$ 3,014.00	\$ 3,014.00

FORM 850 (6/00) West Group, Rochester, NY

In re Edward and Terry Lynn Payne and Terry Lynn Payne

/ Debtor

Case No. \_\_\_\_\_

(if known)

**SCHEDULE C-PROPERTY CLAIMED AS EXEMPT**

Debtor elects the exemptions to which debtor is entitled under:

(Check one box)

☐ 11 U.S.C. § 522(b)(1): Exemptions provided in 11 U.S.C. § 522(d). Note: These exemptions are available only in certain states.☒ 11 U.S.C. § 522(b)(2): Exemptions available under applicable nonbankruptcy federal laws, state or local law where the debtor's domicile has been located for the 180 days immediately preceding the filing of the petition, or for a longer portion of the 180-day period than in any other place, and the debtor's interest as a tenant by the entirety or joint tenant to the extent the interest is exempt from process under applicable nonbankruptcy law.

Description of Property Claimed By Wife	Specify Law Providing each Exemption	Value of Claimed Exemption	Current Market Value of Property Without Deducting Exemptions
1315 Gloria Lane, Boulder City	NRS 21.090(1)(1), 115.010	\$ 34,442.50	\$ 200,000.00
Household Goods and Furnishings	NRS 21.090(1)(b)	\$ 2,000.00	\$ 4,000.00
Clothing	NRS 21.090.1(b)	\$ 75.00	\$ 150.00
.22 caliber pistol	NRS 21.090(1)(i)	\$ 12.50	\$ 25.00
Life Insurance Policy with Conseco	NRS 21.090.1(k) (prem. under \$1,000/year	\$ 400.00	\$ 400.00
IRA with Boulder Dam Credit Union	NRS 21.090(1)(q)(1)	\$ 20,000.00	\$ 20,000.00
1974 Jeep CJ5 (50% interest)	NRS 21.090(1)(f)	\$ 500.00	\$ 500.00

FORM 880 (12/03) West Group, Rochester, NY

In re Edward and Terry Lynn Payne and Terry Lynn Payne / DebtorCase No. \_\_\_\_\_  
(If known)**SCHEDULE D-CREDITORS HOLDING SECURED CLAIMS**

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests. List creditors in alphabetical order to the extent practicable. If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column marked "Codebtor." Include the entity on the appropriate schedule of creditors and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedules. Report this total also on the Summary of Schedules.

☐ Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

Creditor's Name and Mailing Address Including Zip Code	C o d e b t o r	Date Claim was Incurred, Nature of Lien, and Description and Market Value of Property Subject to Lien	C o n t i n g e n t	U n l i q u i d a t e d	D i s p u t e d	Amount of Claim Without Deducting Value of Collateral	Unsecured Portion, if any
Account No: 0346 Creditor # : 1 Bank of America P.O. Box 30610 Los Angeles CA 90030-0610		C 04-06-2002 Car Loan 2000 Cadillac Escalade Value: \$ 22,000.00				\$ 22,325.00	\$ 325.00
Account No: 0269 Creditor # : 2 Bank of Nevada P.O. Box 31452 Las Vegas NV 89173-1452	X	C 4-2002 Non-purchase Money Security Value: \$ 20,000.00				\$ 13,450.00	\$ 0.00
Account No: 5003 Creditor # : 3 Boulder Dam Credit Union P.O. Box 61410 Boulder City NV 89006-1410		C 1999 1997 Cadillac DeVille Sedan Value: \$ 6,000.00				\$ 7,720.00	\$ 1,720.00
Account No: -003 Creditor # : 4 Boulder Dam Credit Union P.O. Box 61410 Boulder City NV 89006-1410		C 1974 Mortgage 1315 Gloria Lane, Boulder City Value: \$ 200,000.00				\$ 131,115.00	\$ 0.00

No continuation sheets attached

Subtotal \$	174,610.00
(Total of this page)	
Total \$	174,610.00

(Use only on last page. Report total also on Summary of Schedules)

FORM 86E (12/03) West Group, Rochester, NY

In re Edward and Terry Lynn Payne and Terry Lynn Payne / DebtorCase No. \_\_\_\_\_  
(if known)**SCHEDULE E-CREDITORS HOLDING UNSECURED PRIORITY CLAIMS**

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name and mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotal" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Repeat this total also on the Summary of Schedules.

☒ Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

**TYPES OF PRIORITY CLAIMS** (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)

☐ **Extensions of credit in an involuntary case.**

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(2).

☐ **Wages, salaries, and commissions**

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$4,650\* per person earned within 90 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(3).

☐ **Contributions to employee benefit plans**

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

☐ **Certain farmers and fishermen**

Claims of certain farmers and fishermen, up to \$4,650\* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(5).

☐ **Deposits by individuals**

Claims of individuals up to \$2,100\* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(6).

☐ **Alimony, Maintenance or Support**

Claims of a spouse, former spouse, or child of the debtor, for alimony, maintenance, or support, to the extent provided in 11 U.S.C. § 507(a)(7).

☐ **Taxes and Certain Other Debts Owed to Governmental Units**

Taxes, custom duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

☐ **Commitments to Maintain the Capital of an Insured Depository Institution**

Claims based on commitments to FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507(a)(9).

\*Amounts are subject to adjustment on April 1, 2001, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

No continuation sheets attached

FORM 85F (12/03) West Group, Rochester, NY

In re Edward and Terry Lynn Payne and Terry Lynn Payne / DebtorCase No. \_\_\_\_\_  
(if known)**SCHEDULE F-CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

State the name, mailing address, including zip code, and last four digits of any account number, if any, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor." Include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedules. Report this total also on the Summary of Schedules.

☐ Check this box if debtor has no creditors holding unsecured nonpriority claims to report on this Schedule F.

Creditor's Name and Mailing Address including Zip Code	Codebtor H-Husband W-Wife J-Joint C-Community	Date Claim was Incurred, and Consideration for Claim. If Claim is Subject to Setoff, so State.	Contingent X	Unliquidated X	Disputed X	Amount of Claim	
Account No: Creditor # : 1 Amiello Insurance Company	X C	2003 Insurance Premium				\$ 500.00	
Account No: 8813 Creditor # : 2 Bank of America P.O. Box 2463 Spokane WA 99210	X C	2002-03 Credit Card Purchases				\$ 27,320.50	
Account No: Representing: Bank of America		Callister & Reynolds 823 S. Las Vegas Blvd. Las Vegas NV 89101					
Account No: Creditor # : 3 Bulloch Brothers Engineering c/o William H. Luttrell, Esq. 810 S. Casino Center Blvd. Las Vegas NV 89101	X C	2002 Potential Judgment				\$ 1,000.00	
5 continuation sheets attached						Subtotal \$ (Total of this page) Total \$ (Report total also on Summary of Schedules)	28,820.50

FORM 86F (12/03) West Group, Rochester, NY

In re Edward and Terry Lynn Payne and Terry Lynn Payne / DebtorCase No. \_\_\_\_\_  
(if known)**SCHEDULE F-CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

Creditor's Name and Mailing Address including Zip Code	C o d e b t o r	Date Claim was Incurred, and Consideration for Claim. If Claim is Subject to Setoff, so State.	C o n t i n g u e d a t e	U n s e c u r e d	D i s p u t e d	Amount of Claim
Account No: Creditor # : 4 Chris Anderson	X C	2003 Potential Claim				\$ 500.00
Account No: 2504 Creditor # : 5 Citibank P.O. Box 6001 The Lakes NV 88901	C	2002-03 Credit Card Purchases				\$ 3,550.00
Account No: Representing: Citibank		NCO Financial Systems, Inc. P.O. Box 41457 Philadelphia PA 19101-1457				
Account No: Creditor # : 6 Clifford Dunn, Esq. UT	X C	2002-2003 Attorney Fees				\$ 500.00
Account No: Creditor # : 7 County Treasurer PP 500 S. Grand Central Pkwy. P.O. Box 551401 Las Vegas NV 89155-1401	C	Government Agencies				\$ 0.00
Account No: Creditor # : 8 Daniel Bulloch & Greg Bulloch	X C	2003 Potential Claim				\$ 500.00

Sheet No. 1 of 5 continuation sheets attached to Schedule of  
Creditors Holding Unsecured Nonpriority Claims

Subtotal \$

5,050.00

(Total of this page)

Total \$

(Report total also on Summary of Schedules)



FORM 86F (12/03) West Group, Rochester, NY

In re Edward and Terry Lynn Payne and Terry Lynn Payne / DebtorCase No. \_\_\_\_\_  
(if known)**SCHEDULE F-CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

Creditor's Name and Mailing Address Including Zip Code	C o d e b o r	Date Claim was Incurred, and Consideration for Claim. If Claim is Subject to Setoff, so State.  H--Husband W--Wife J--Joint C--Community	C o n t i n g e n t	U n i q u e r e d	D i s p u t e d	Amount of Claim
Account No: Creditor # : 9 Dept. of Employment Contributions Section 500 E. Third St. Carson City NV 89713-0030	C	Government Agencies				\$ 0.00
Account No: Creditor # : 10 Dept. of Motor Vehicles Records Section 555 Wright Way Carson City NV 89711-0250	C	Government Agencies				\$ 0.00
Account No: Creditor # : 11 Ellsworth, Moody & Benion 7881 W. Charleston Blvd. #110 Las Vegas NV 89117	X C	2003 Attorney Fees				\$ 2,506.00
Account No: Creditor # : 12 EmC Insurance Company P.O. Box 712 Des Moines IA 50303	X C	1999 Potential Judgment				\$ 25,000.00
Account No: Representing: EmC Insurance Company		Joseph Estes Lefebvre & Associates, Chtd. P.O. Box 3070 Las Vegas NV 89173-0670				
Account No: Creditor # : 13 Famlian Northwest c/o M. Eric Olmstead, Esq. 301 N. 200 East #3-A St. George UT 84770	C	2002 Potential Judgment				\$ 10,000.00

Sheet No. 2 of 5 continuation sheets attached to Schedule of  
Creditors Holding Unsecured Nonpriority Claims

Subtotal \$

37,506.00

(Total of this page)

Total \$

(Report total also on Summary of Schedules)

FORM B6F (12/03) West Group, Rochester, NY

In re Edward and Terry Lynn Payne and Terry Lynn Payne / DebtorCase No. \_\_\_\_\_  
(if known)**SCHEDULE F-CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

Creditor's Name and Mailing Address including Zip Code	C o d e b t o r	Date Claim was Incurred, and Consideration for Claim. If Claim is Subject to Setoff, so State.	C o n t i n g e n t	U n l i q u i t e d	D i s p u t e d	Amount of Claim
Account No: 5076 Creditor #: 14 First USA Bank P.O. Box 50882 Henderson NV 89016-0882	X	C 2002 Credit Card Purchases				\$ 11,330.00
Account No: 8279 Creditor #: 15 First Credit Card c/o Creditors Exchange, Inc. P.O. Box 1335 Buffalo NY 14240-1335	X	C 2002-03 Credit Card Purchases				\$ 21,560.00
Account No: 0612 Creditor #: 16 FNW Mesquite #3127 P.o. box 3147 Mesquite NV 89024	X	C 2001 Miscellaneous				\$ 252,111.75
Account No: Creditor #: 17 Internal Revenue Service Ogden, UT 84201		C Government Agencies				\$ 0.00
Account No: Creditor #: 18 IRS Special Procedures 4750 W. Oakey Blvd. Las Vegas NV 89101		C Government Agencies				\$ 0.00
Account No: Creditor #: 19 Jeff Kilhill	X	C 2003 Potential Claim				\$ 500.00

Sheet No. 3 of 5 continuation sheets attached to Schedule of  
Creditors Holding Unsecured Nonpriority Claims

Subtotal \$

285,501.75

(Foot of this page)

Total \$

(Report total also on Summary of Schedules)

FORM B6F (12/03) West Group, Rochester, NY

In re Edward and Terry Lynn Payne and Terry Lynn Payne / DebtorCase No. \_\_\_\_\_  
(# known)**SCHEDULE F-CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

Creditor's Name and Mailing Address including Zip Code	C o d e b t o r	Date Claim was Incurred, and Consideration for Claim. If Claim is Subject to Setoff, so State.	C o n t i n g e n t	U n i q u e d e d	D i s p u t e d	Amount of Claim
Account No: Creditor # : 20 John Wright, Esq. 520 S. Fourth St. #360 Las Vegas NV 89101	X	C 2003 Attorney Fees				\$ 1,200.00
Account No: Creditor # : 21 Burke & Associates Burke & Associates Las Vegas NV 89102	X	C 2003 Misc.				\$ 500.00
Account No: Creditor # : 22 Mike Winter Virgin Valley Water District	X	C 2003 Misc.				\$ 500.00
Account No: 6358 Creditor # : 23 National Waterworks File #56536 Los Angeles CA 90074-6536	X	C 2001 Miscellaneous				\$ 248,840.00
Account No: Creditor # : 24 Rick Kozak P.O. Box 618881 Boulder City NV 89006		C 2003 Personal Loan				\$ 160,000.00
Account No: Creditor # : 25 S.I.I.S. Attn: Bankruptcy Desk 515 East Musser St. Carson City NV 89714		C Government Agencies				\$ 0.00

Sheet No. 4 of 5 continuation sheets attached to Schedule of  
Creditors Holding Unsecured Nonpriority ClaimsSubtotal \$ **411,040.00**

(Total of this page)

Total \$

(Report total also on Summary of Schedules)

FORM B6F (12/03) West Group, Rochester, NY

In re Edward and Terry Lynn Payne and Terry Lynn Payne / DebtorCase No. \_\_\_\_\_  
(if known)**SCHEDULE F-CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

Creditor's Name and Mailing Address including Zip Code	C o d e b t o r	Date Claim was Incurred, and Consideration for Claim. If Claim is Subject to Setoff, so State.	C o n t i n g e n t	U n t i l i q u i t e d	D i s p u t e d	Amount of Claim
Account No: Creditor # : 26 U. S. Filter Distribution c/o Bruce N. Willoughby, Esq. 701 n. Green Valley Pkwy. #220 Henderson NV 89014	X	C 2003 Potential Judgment				\$ 10,000.00
Account No: 6515 Creditor # : 27 Wells Fargo Bank P.O. Box 29491 Phoenix AZ 85038-9491		C 2002-03 Credit Card Purchases				\$ 104,307.00
Account No: Creditor # : 28 Weston Nelson		C 2003 Potential Claim				\$ 500.00
Account No:						
Account No:						
Account No:						

Sheet No. 5 of 5 continuation sheets attached to Schedule of  
Creditors Holding Unsecured Nonpriority Claims

Subtotal \$

114,807.00

(Total of this page)

Total \$

882,725.25

(Report total also on Summary of Schedules)

FORM B6C (10/99) West Group, Rochester, NY

In re Edward and Terry Lynn Payne and Terry Lynn Payne / DebtorCase No. \_\_\_\_\_  
(if known)**SCHEDULE G-EXECUTORY CONTRACTS AND UNEXPIRED LEASES**

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interests in contract, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described.

NOTE: A party listed on this schedule will not receive notice of the filing of this case unless the party is also scheduled in the appropriate schedule of creditors.

☐ Check this box if the debtor has no executory contracts or unexpired leases.

Name and Mailing Address, including Zip Code, of other Parties to Lease or Contract	Description of Contract or Lease and Nature of Debtor's Interest. State whether Lease is for Nonresidential Real Property. State Contract Number of any Government Contract.
<b>GMAC</b> <b>P.O. Box 98509</b> <b>Las Vegas NV 89193</b>	<b>Contract Type: Vehicle lease</b> <b>Terms: 3 year lease</b> <b>Beginning date: 9/1/2001</b> <b>Debtor's Interest: Lessee</b> <b>Description: 2002 Chevrolet Silverado</b> <b>Buyout Option:</b>

FORM B6H (6/00) West Group, Rochester, NY

In re Edward and Terry Lynn Payne and Terry Lynn Payne / DebtorCase No. \_\_\_\_\_  
(if known)**SCHEDULE H-CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. In community property states, a married debtor not filing a joint case should report the name and address of the nondebtor spouse on this schedule. Include all names used by the nondebtor spouse during the six years immediately preceding the commencement of this case.

☐ Check this box if the debtor has no codebtors.

Name and Address of Codebtor	Name and Address of Creditor
<b>Boulder Excavating, Inc.</b> <b>P.O. Box 60785</b> <b>Boulder City NV 89006</b>	<b>Amiello Insurance Company</b>  <b>Bank of America</b> <b>P.O. Box 2463</b> <b>Spokane WA 99210</b>  <b>Bulloch Brothers Engineering</b> <b>c/o William H. Luttrell, Esq.</b> <b>810 S. Casino Center Blvd.</b> <b>Las Vegas NV 89101</b>  <b>Chris Anderson</b>  <b>Clifford Dunn, Esq.</b>  <b>UT</b>  <b>Daniel Bulloch &amp; Greg Bulloch</b>  <b>Ellsworth, Moody &amp; Benion</b> <b>7881 W. Charleston Blvd. #110</b> <b>Las Vegas NV 89117</b>  <b>EmC Insurance Company</b> <b>P.O. Box 712</b> <b>Des Moines IA 50303</b>  <b>First USA Bank</b> <b>P.O. Box 50882</b> <b>Henderson NV 89016-0882</b>  <b>Fleet Credit Card</b> <b>c/o Creditors Exchange, Inc.</b> <b>P.O. Box 1335</b> <b>Buffalo NY 14240-1335</b>

FORM B6H (8/90) West Group, Rochester, NY

In re Edward and Terry Lynn Payne and Terry Lynn Payne / DebtorCase No. \_\_\_\_\_  
(if known)**SCHEDULE H-CODEBTORS**

Name and Address of Codebtor	Name and Address of Creditor
Boulder Excavating, Inc....continued	FNW Mesquite #3127 P.O. box 3147 Mesquite NV 89024  Jeff Kilhill   John Wright, Esq. 520 S. Fourth St. #360 Las Vegas NV 89101  Burke & Associates Burke & Associates Las Vegas NV 89102  Mike Winter Virgin Valley Water District   National Waterworks File #56536 Los Angeles CA 90074-6536  U.S. Filter Distribution c/o Bruce N. Willoughby, Esq. 701 n. Green Valley Pkwy. #220 Henderson NV 89014
E and T Excavating, LLC P.O. Box 62239 Boulder City NV 89006	Bank of Nevada P.O. Box 31452 Las Vegas NV 89173-1452



FORM B6i (6/90) West Group, Rochester, NY

In re Edward and Terry Lynn Payne and Terry Lynn Payne

/ Debtor

Case No. \_\_\_\_\_

(if known)

**SCHEDULE I-CURRENT INCOME OF INDIVIDUAL DEBTOR(S)**

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by a married debtor in a chapter 12 or 13 case whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.

Debtor's Marital Status: <b>Married</b>	DEPENDENTS OF DEBTOR AND SPOUSE	
	RELATIONSHIP	AGE
EMPLOYMENT:	DEBTOR	SPOUSE
Occupation	<b>Contractor</b>	<b>Unemployed</b>
Name of Employer	<b>E and T Excavating, LLC</b>	
How Long Employed	<b>2 years</b>	
Address of Employer	<b>P.O. Box 62239 Boulder City NV 89006</b>	
Income: (Estimate of average monthly income)	DEBTOR	SPOUSE
Current Monthly gross wages, salary, and commissions (pro rate if not paid monthly)	\$ 5,000.00	\$ 0.00
Estimated Monthly Overtime	\$ 0.00	\$ 0.00
SUBTOTAL	\$ 5,000.00	\$ 0.00
LESS PAYROLL DEDUCTIONS		
a. Payroll Taxes and Social Security	\$ 1,500.00	\$ 0.00
b. Insurance	\$ 729.00	\$ 0.00
c. Union Dues	\$ 100.00	\$ 0.00
d. Other (Specify):	\$ 0.00	\$ 0.00
SUBTOTAL OF PAYROLL DEDUCTIONS	\$ 2,329.00	\$ 0.00
TOTAL NET MONTHLY TAKE HOME PAY	\$ 2,671.00	\$ 0.00
Regular income from operation of business or profession or farm (attach detailed statement)	\$ 0.00	\$ 0.00
Income from Real Property	\$ 0.00	\$ 0.00
Interest and dividends	\$ 0.00	\$ 0.00
Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above.	\$ 0.00	\$ 0.00
Social Security or other government assistance		
Specify:	\$ 0.00	\$ 758.00
Pension or retirement income	\$ 0.00	\$ 0.00
Other monthly income		
Specify:	\$ 0.00	\$ 0.00
TOTAL MONTHLY INCOME	\$ 2,671.00	\$ 758.00
TOTAL COMBINED MONTHLY INCOME	\$ 3,429.00	
(Report also on Summary of Schedules)		
Describe any increase or decrease of more than 10% in any of the above categories anticipated to occur within the year following the filing of this document:		

FORM 60J (6/90) West Group, Rochester, NY

In re Edward and Terry Lynn Payne and Terry Lynn Payne / DebtorCase No. \_\_\_\_\_  
(if known)**SCHEDULE J-CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR**

Complete this schedule by estimating the average expenses of the debtor and the debtor's family. Pro rate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate.

☐ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse."

Rent or home mortgage payment (include lot rented for mobile home)	\$	1,542.00
Are real estate taxes included? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Is property insurance included? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Utilities: Electricity and heating fuel	\$	300.00
Water and sewer	\$	50.00
Telephone	\$	50.00
Other <b>Real Estate Taxes</b>	\$	95.00
Home maintenance (Repairs and upkeep)	\$	100.00
Food	\$	700.00
Clothing	\$	100.00
Laundry and dry cleaning	\$	25.00
Medical and dental expenses	\$	200.00
Transportation (not including car payments)	\$	350.00
Recreation, clubs and entertainment, newspapers, magazines, etc.	\$	150.00
Charitable contributions	\$	0.00
Insurance (not deducted from wages or included in home mortgage payments)	\$	
Homeowner's or renter's	\$	60.00
Life	\$	170.00
Health	\$	0.00
Auto	\$	250.00
Other	\$	0.00
Taxes (not deducted from wages or included in home mortgage)	\$	
Specify:	\$	0.00
Installment payments: (in chapter 12 and 13 cases, do not list payments to be included in the plan)	\$	
Auto	\$	500.00
Other: <b>Auto Lease</b>	\$	751.00
Other: <b>Auto Payment</b>	\$	598.00
Alimony, maintenance, and support paid to others	\$	0.00
Payments for support of additional dependents not living at your home	\$	0.00
Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$	0.00
Other: <b>Misc. Toiletries</b>	\$	45.00
Other: <b>Cable tv</b>	\$	43.00
<b>TOTAL MONTHLY EXPENSES</b> (Report also on Summary of Schedules)	\$	<b>6,079.00</b>

In re Edward and Terry Lynn Payne and Terry Lynn Payne / Debtor Case No. \_\_\_\_\_  
(if known)

## DECLARATION CONCERNING DEBTOR'S SCHEDULES

### DECLARATION UNDER PENALTY OF PERJURY BY AN INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 21 sheets, and that they are true and correct to the best of my knowledge, information and belief.

Date: 1/2/2004

Signature

Edward and Terry Lynn Payne

Date: 1/2/2004

Signature

Terry Lynn Payne

# **UNITED STATES BANKRUPTCY COURT DISTRICT OF NEVADA**

In re **Edward and Terry Lynn Payne**  
**and**  
**Terry Lynn Payne**

Case No.  
Chapter 7

/ Debtor

## **STATEMENT OF FINANCIAL AFFAIRS**

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs.

Questions 1-18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19-25. If the answer to any question is "None," or the question is not applicable, mark the box labeled "None." If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

## **DEFINITIONS**

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within the six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporation debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. §101.

### **1. Income from employment or operation of business.**

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### AMOUNT

#### SOURCE (if more than one)

Year to date: \$0.00  
Last Year: \$80,996.00  
Year before: \$80,974.00

Income from Employment

### **2. Income other than from employment or operation of business.**

State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the two years immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

☒ NONE

### **3. Payments to creditors.**

a. List all payments on loans, installment purchases of goods or services, and other debts, aggregating more than \$600 to any creditor made within 90 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

☒ NONE

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b. List all payments made within one year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

☒ NONE**4. Suits and administrative proceedings, executions, garnishments and attachments.**

a. List all suits and administrative proceedings to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

<u>CAPTION OF SUIT AND CASE NUMBER</u>	<u>NATURE OF PROCEEDING</u>	<u>COURT OR AGENCY AND LOCATION</u>	<u>STATUS OR DISPOSITION</u>
<i>U.S. Filter Distribution Group, Inc. v. Boulder Excavating, Inc., et al., Case No. #A439687 and A450053</i>	<i>Collection</i>	<i>District Court, Clark County, Nevada.</i>	<i>Discovery</i>

b. Describe all property that has been attached, garnished or seized under any legal or equitable process within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

☒ NONE**5. Repossessions, foreclosures and returns.**

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

☒ NONE**6. Assignments and receiverships.**

a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

☒ NONE

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

☒ NONE**7. Gifts.**

List all gifts or charitable contributions made within one year immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

☒ NONE

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**8. Losses.**

List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

☒ NONE**9. Payments related to debt counseling or bankruptcy.**

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within one year immediately preceding the commencement of this case.

NAME AND ADDRESS OF PAYEE	DATE OF PAYMENT, NAME OF PAYOR IF OTHER THAN DEBTOR	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY
Payee: Robert C. LeRome, Esq. Address: 330 S. Third St. #1100B Las Vegas, NV 89101	Date of Payment: Payor: Edward and Terry Lynn Payne	\$2,500.00 in attorney fees and \$209.00 in costs

**10. Other transfers.**

List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

☒ NONE**11. Closed financial accounts.**

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one year immediately preceding the commencement of this case. include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless spouses are separated and a joint petition is not filed.)

☒ NONE**12. Safe deposit boxes.**

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

☒ NONE**13. Setoffs.**

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within 90 days preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

☒ NONE**14. Property held for another person.**

List all property owned by another person that the debtor holds, or controls.

☒ NONE**15. Prior address of debtor.**

If the debtor has moved within the two years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

☒ NONE

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**16. Spouses and Former Spouses**

If the debtor resides or resided in a community property state, commonwealth or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the six-year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

☒ NONE**17. Environmental Information**

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, release of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regarding the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to disposal sites.

"Hazardous Material" means anything defined as hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law.

a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law.

☒ NONE

b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

☒ NONE

c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law, with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

☒ NONE**18. Nature, location and name of business**

a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partnership, sole proprietorship, or was a self-employed professional within the six years immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within the six years immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within the six years immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within the six years immediately preceding the commencement of this case.

<u>NAME AND ADDRESS</u>	<u>TAXPAYER I.D. NUMBER</u>	<u>NATURE OF BUSINESS</u>	<u>BEGINNING AND ENDING DATES</u>
Debtor is an Individual: Boulder Excavating, Inc. Business Address: P.O. Box 50785, Boulder City, NV 89006	TaxPayer ID: 88-0205148	Construction Excavation	



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## QUESTION 18a CONTINUED ...

<u>NAME AND ADDRESS</u>	<u>TAXPAYER I.D. NUMBER</u>	<u>NATURE OF BUSINESS</u>	<u>BEGINNING AND ENDING DATES</u>
Debtor is an Individual: E and T Excavating, LLC Business Address: P.O. Box 62239, Boulder City, NV 89006	TaxPayer ID: 52-2343422	Construction Excavation	

b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

☒ NONE

The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within six years immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or otherwise self-employed.

(An individual or joint debtor should complete this portion of the statement only if the debtor is or has been in business, as defined above, within the six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)

**19. Books, records and financial statements.**

a. List all bookkeepers and accountants who within the two years immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

<u>NAME AND ADDRESS</u>	<u>DATES SERVICES RENDERED</u>
Name: Mark Sherman, CPA Address: 601 S. Rancho Dr. #D-32, Las Vegas, NV 89106-4827	Dates: 2002-Present

Name: Premier Business Services, LLC Address: 8920 W. Tropicana, Las Vegas, NV 89147	Dates: 2000-2001
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b. List all firms or individuals who within the two years immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

☒ NONE

c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

<u>NAME AND ADDRESS</u>
Name: Edward Payne Address: 1315 Gloria Lane, Boulder City, NV 89005 Missing:

d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued within the two years immediately preceding the commencement of this case by the debtor.

☒ NONE

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**20. Inventories.**

a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

☒ NONE

b. List the name and address of the person having possession of the records of each of the two inventories reported in a., above.

☒ NONE**21. Current Partners, Officers, Directors and Shareholders.**

a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

<u>NAME AND ADDRESS</u>	<u>NATURE OF INTEREST</u>	<u>PERCENTAGE OF INTEREST</u>
Name: Swains Creek Limited Family Partnership Address: P.O. Box 62239, Boulder City, NV 89005 Address: Address:	Interest: Member Percent: 75% owner in E & T Excavating, LLC	
Name: Edward and Terry Payne Address: 1315 Gloria Lane, Boulder City, NV 89005 Address: Address:	Interest: Member Percent: 25% owner in E & T Excavating, LLC	
Name: Edward Payne Address: 1315 Gloria Lane, Boulder City, NV 89005 Address: Address:	Interest: 2% in Swains Creek Limited Family Partnership Percent:	
Name: Terry Payne Address: 1315 Gloria Lane, Boulder City, NV 89005 Address: Address:	Interest: 2% interest in Swains Creek Limited Family Partnership Percent:	
Name: Wendy Robinson Address: 3115 Pebble Beach, Las Vegas, NV 89108 Address: Address:	Interest: 96% interest in Swains Creek Limited Family Partnership Percent:	

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b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 1 percent or more of the voting or equity securities of the corporation.

<u>NAME AND ADDRESS</u>	<u>TITLE</u>	<u>NATURE AND PERCENTAGE OF STOCK OWNERSHIP</u>
Name: Edward Payne Address: 1315 Gloria Lane, Boulder City, NV 89005 Address: Address:	President and Shareholder	50% no par value

Name: Terry Payne Address: 1315 Gloria Lane, Boulder City, NV 89005 Address: Address:	Secretary/Treasurer and Shareholder	50% no par value
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**22. Former partners, officers, directors and shareholders.**

a. If the debtor is a partnership, list each member who withdrew from the partnership within one year immediately preceding the commencement of this case.

☒ NONE

b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within one year immediately preceding the commencement of this case.

☒ NONE**23. Withdrawals from a partnership or distribution by a corporation.**

If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during one year immediately preceding the commencement of this case.

☒ NONE**24. Tax Consolidation Group.**

If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within the six year period immediately preceding the commencement of the case.

☒ NONE**25. Pension Funds.**

If the debtor is not an individual, list the name and federal taxpayer identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within the six year period immediately preceding the commencement of the case.

☒ NONE

## DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of Perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct to the best of my knowledge, information, and belief.

Date 1/2/2004Signature Edward and Terry Lynn PayneDate 1/2/2004Signature Terry Lynn Payne

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years or both, 18 U.S.C. § 152 and § 3571.

# **UNITED STATES BANKRUPTCY COURT DISTRICT OF NEVADA**

In re *Edward and Terry Lynn Payne and Terry Lynn Payne*Case No.  
Chapter 7

\_\_\_\_\_/ Debtor

## **CHAPTER 7 INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION**

1. I have filed a schedule of assets and liabilities which includes consumer debts secured by property of the estate.

2. I intend to do the following with respect to the property of the estate which secures those consumer debts:

## a. Property to Be Surrendered.

## Description of Property

## Creditor's Name

2000 Cadillac Escalade

Bank of America

## b. Property to Be Retained.

(Check any applicable statement.)

## Description of Property

## Creditor's Name

Property is  
claimed as  
exemptProperty will be  
redeemed  
pursuant to  
11 U.S.C. § 722Debt will be  
reaffirmed  
pursuant to  
11 U.S.C. § 524(c)

Heavy Equipment

Bank of Nevada

Retain

1997 Cadillac DeVille Sedan

Boulder Dam Credit Union

X

1315 Gloria Lane, Boulder City

Boulder Dam Credit Union

X

## Signature of Debtor(s)

Date: 1/2/2004Debtor: *Edward Payne*Date: 1/2/2004Joint Debtor: *Terry Payne*

West Group, Rochester, NY

# **UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF NEVADA**

In re **Edward and Terry Lynn Payne**  
and  
**Terry Lynn Payne**

Case No.  
Chapter: **7**

/Debtor(s)

Attorney For Debtor: **Robert C. LePome, Esq.**

## **LIST OF CREDITORS**

#	CREDITOR	CLAIM AND SECURITY	C D S U	CLAIM AMOUNT
1	<b>Amiello Insurance Company</b>	<b>Insurance Premium</b>		<b>\$ 500.00</b>
2	<b>Bank of America</b> <b>P.O. Box 30610</b> <b>Los Angeles , CA 90030-0610</b>	<b>Car Loan</b> <b>2000 Cadillac Escalade</b>		<b>\$ 22,325.00</b>
3	<b>Bank of America</b> <b>P.O. Box 2463</b> <b>Spokane, WA 99210</b>	<b>Credit Card Purchases</b>		<b>\$ 27,320.50</b>
4	<b>Bank of Nevada</b> <b>P.O. Box 31452</b> <b>Las Vegas, NV 89173-1452</b>	<b>Non-purchase Money Security</b>		<b>\$ 13,450.00</b>
5	<b>Boulder Dam Credit Union</b> <b>P.O. Box 61410</b> <b>Boulder City, NV 89006-1410</b>	<b>1997 Cadillac DeVille Sedan</b>		<b>\$ 7,720.00</b>
6	<b>Boulder Dam Credit Union</b> <b>P.O. Box 61410</b> <b>Boulder City, NV 89006-1410</b>	<b>Mortgage</b> <b>1315 Gloria Lane, Boulder City</b>		<b>\$ 131,115.00</b>
7	<b>Bulloch Brothers Engineering</b> <b>c/o William H. Luttrell, Esq.</b> <b>810 S. Casino Center Blvd.</b> <b>Las Vegas, NV 89101</b>	<b>Potential Judgment</b>		<b>\$ 1,000.00</b>
8	<b>Chris Anderson</b>	<b>Potential Claim</b>		<b>\$ 500.00</b>

West Group, Rochester, NY

## LIST OF CREDITORS

(Continuation Sheet)

#	CREDITOR	CLAIM AND SECURITY	C D S U	CLAIM AMOUNT
9	Citibank P.O. Box 6001 The Lakes, NV 88901	Credit Card Purchases		\$ 3,550.00
10	Clifford Dunn, Esq. UT	Attorney Fees		\$ 500.00
11	County Treasurer PP 500 S. Grand Central Pkwy. P.O. Box 551401 Las Vegas, NV 89155-1401	Government Agencies		\$ 0.00
12	Daniel Bulloch & Greg Bulloch	Potential Claim		\$ 500.00
13	Dept. of Employment Contributions Section 500 E. Third St. Carson City, NV 89713-0030	Government Agencies		\$ 0.00
14	Dept. of Motor Vehicles Records Section 555 Wright Way Carson City, NV 89711-0250	Government Agencies		\$ 0.00
15	Ellsworth, Moody & Benion 7881 W. Charleston Blvd. #110 Las Vegas, NV 89117	Attorney Fees		\$ 2,506.00
16	EmC Insurance Company P.O. Box 712 Des Moines, IA 50303	Potential Judgment		\$ 25,000.00
17	Familian Northwest c/o M. Eric Olmstead, Esq. 301 N. 200 East #3-A St. George, UT 84770	Potential Judgment		\$ 10,000.00
18	First USA Bank P.O. Box 50882 Henderson, NV 89016-0882	Credit Card Purchases		\$ 11,330.00
19	Fleet Credit Card c/o Creditors Exchange, Inc. P.O. Box 1335 Buffalo, NY 14240-1335	Credit Card Purchases		\$ 21,560.00



West Group, Rochester, NY

## LIST OF CREDITORS

(Continuation Sheet)

#	CREDITOR	CLAIM AND SECURITY	C D S U	CLAIM AMOUNT
20	FNW Mesquite #3127 P.O. box 3147 Mesquite, NV 89024	Miscellaneous		\$ 252,111.75
21	Internal Revenue Service Ogden, UT 84201	Government Agencies		\$ 0.00
22	IRS Special Procedures 4750 W. Oakey Blvd. Las Vegas, NV 89101	Government Agencies		\$ 0.00
23	Jeff Kilhill	Potential Claim		\$ 500.00
24	John Wright, Esq. 520 S. Fourth St. #360 Las Vegas, NV 89101	Attorney Fees		\$ 1,200.00
25	Burke & Associates Burke & Associates Las Vegas, NV 89102	Misc.		\$ 500.00
26	Mike Winter Virgin Valley Water District	Misc.		\$ 500.00
27	National Waterworks File #56536 Los Angeles, CA 90074-6536	Miscellaneous		\$ 248,840.00
28	Rick Kozak P.O. Box 618881 Boulder City, NV 89006	Personal Loan		\$ 160,000.00
29	S.I.I.S. Attn: Bankruptcy Desk 515 East Musser St. Carson City, NV 89714	Government Agencies		\$ 0.00
30	U.S. Filter Distribution c/o Bruce N. Willoughby, Esq. 701 n. Green Valley Pkwy. #220 Henderson, NV 89014	Potential Judgment		\$ 10,000.00

## (Continuation Sheet)

Creditor List--Page 4 of 4

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re **Edward and Terry Lynn Payne  
and  
Terry Lynn Payne**

Case No.  
Chapter 7

\_\_\_\_\_/ Debtor  
Attorney for Debtor: **Robert C. LePome, Esq.**

**STATEMENT PURSUANT TO RULE 2016(B)**

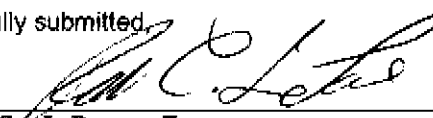
The undersigned, pursuant to Rule 2016(b), Bankruptcy Rules, states that:

1. The undersigned is the attorney for the debtor(s) in this case.
2. The compensation paid or agreed to be paid by the debtor(s), to the undersigned is:
 

a) For legal services rendered or to be rendered in contemplation of and in connection with this case .....	\$	2,500.00
b) Prior to the filing of this statement, debtor(s) have paid .....	\$	2,500.00
c) The unpaid balance due and payable is .....	\$	0.00
3. \$ 209.00 of the filing fee in this case has been paid.
4. The Services rendered or to be rendered include the following:
  - a) Analysis of the financial situation, and rendering advice and assistance to the debtor(s) in determining whether to file a petition under title 11 of the United States Code.
  - b) Preparation and filing of the petition, schedules, statement of financial affairs and other documents required by the court.
  - c) Representation of the debtor(s) at the meeting of creditors.
5. The source of payments made by the debtor(s) to the undersigned was from earnings, wages and compensation for services performed, and  
**None other**
6. The source of payments to be made by the debtor(s) to the undersigned for the unpaid balance remaining, if any, will be from earnings, wages and compensation for services performed, and  
**None other**
7. The undersigned has received no transfer, assignment or pledge of property from debtor(s) except the following for the value stated:  
**None**
8. The undersigned has not shared or agreed to share with any other entity, other than with members of undersigned's law firm, any compensation paid or to be paid except as follows:  
**None**

Dated: 1/2/2004

Respectfully submitted,

X   
\_\_\_\_\_  
Attorney for Debtor: **Robert C. LePome, Esq.**  
**Robert C. LePome, Esq.**  
**330 S. Third St. #1100B**  
**Las Vegas NV 89101**

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re **Edward and Terry Lynn Payne**  
**and**  
**Terry Lynn Payne**

Case No.  
Chapter 7

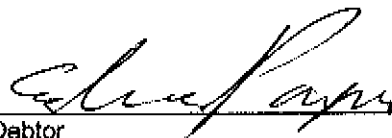
\_\_\_\_\_/ Debtor

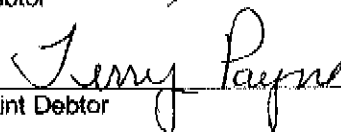
Attorney for Debtor: **Robert C. LePome, Esq.**

**VERIFICATION OF CREDITOR MATRIX**

The above named Debtor(s) hereby verify that the attached list of creditors is true and correct to the best of our knowledge.

Date: 1/2/2004

  
\_\_\_\_\_  
Debtor

  
\_\_\_\_\_  
Joint Debtor

Edward and Terry Lynn Payne  
1315 Gloria Lane  
Boulder City, NV 89005

Terry Lynn Payne  
1315 Gloria Lane  
Boulder City, NV 89005

Robert C. LePome, Esq.  
330 S. Third St. #1100B  
Las Vegas, NV 89101

Amiello Insurance Company

Bank of America  
P.O. Box 2463  
Spokane, WA 99210

Bank of America  
P.O. Box 30610  
Los Angeles , CA 90030-0610

Bank of Nevada  
P.O. Box 31452  
Las Vegas, NV 89173-1452

Boulder Dam Credit Union  
P.O. Box 61410  
Boulder City, NV 89006-1410

Boulder Excavating, Inc.  
P.O. Box 60785  
Boulder City, NV 89006

Bulloch Brothers Engineering  
c/o William H. Luttrell, Esq.  
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Daniel Bulloch & Greg Bulloch

Dept. of Employment  
Contributions Section  
500 E. Third St.  
Carson City, NV 89713-0030

Dept. of Motor Vehicles  
Records Section  
555 Wright Way  
Carson City, NV 89711-0250

E and I Excavating, LLC  
P.O. Box 62239  
Boulder City, NV 89006

Ellsworth, Moody & Benion  
7881 W. Charleston Blvd. #110  
Las Vegas, NV 89117

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St. George, UT 84770

First USA Bank  
P.O. Box 50882  
Henderson, NV 89016-0882

Fleet Credit Card  
c/o Creditors Exchange, Inc.  
P.O. Box 1335  
Buffalo, NY 14240-1335

FNW Mesquite #3127  
P.o. box 3147  
Mesquite, NV 89024

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Las Vegas, NV 89102

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Philadelphia, PA 19101-1457

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U.S. Filter Distribution  
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Henderson, NV 89014

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Phoenix, AZ 85038-9491

Weston Nelson